WHISTLEBLOWING – INTRODUCTION & POLICY

This policy was approved by the Trustees on 10th October 2025 and will be reviewed on or before 9th October 2026

INTRODUCTION

Whistle-blowing is the disclosure of information by an employee or worker which relates to some danger, fraud or other illegal or unethical conduct in the workplace.

Public Interest

Disclosure Act

1998 governs the making of disclosures concerning workplace activities and is intended to protect employees who blow the whistle on bad practice from being subjected to any detriment or unfairly dismissed as a result.

For a disclosure to be protected an employee must follow the procedures in the legislation. In 2013 the Government introduced a public interest test by which only concerns that are in the public interest will give the whistleblower legal protection.

The Rudolph Walker Foundation is committed to maintaining the highest standards of integrity, honesty and professionalism in the workplace and complying with its legal obligations.

Whilst the Foundation makes every effort to ensure that its business is conducted according to these standards, employees may be aware of, or suspect, certain failings or wrongdoings within the charity.

Employees are strongly encouraged to raise any concerns they may have in accordance with this policy.

The aim of this policy is to ensure that all employees are confident that they can raise any matters of genuine concern without fear of reprisals, in the knowledge that they will be taken seriously and that the matters will be investigated appropriately and regarded as confidential.

The following guidance sets out the procedure by which employees can report concerns about workplace practices.

This policy is for guidance only and should not be regarded as a complete or authoritative statement of the law.

RESPONSIBILITIES

All staff are responsible for using these procedures in good faith; a complaint which is found to have been raised maliciously could result in disciplinary action. Managers and Trustees are responsible for responding swiftly and effectively when a whistle-blowing issue is raised. They are responsible for following procedure, ensuring that their action is within the

law and that they take into consideration the well-being of their staff and the reputation of the organisation.

AUTHORITIES

The CEO and Trustees have the authority to investigate complaints which fall within the definition of whistle-blowing.

POLICY

1. This policy is distinct from the Trust's Grievance and Bullying & Harassment Procedures. If an employee has a complaint which affects their employment directly, then they should use one of those two procedures as appropriate. Only concerns about malpractice within the organisation which fall within the categories outlined in the paragraph below should be raised using the procedure set out in this policy.

2. Staff should use this policy if they have a genuine concern that there are reasonable grounds for believing that one of the following events has happened, is happening or is likely to happen in the near future:

a. a criminal offence; or

b. a failure to comply with any legal obligation; or

c. a miscarriage of justice; or

d. danger to the health and safety of any individual; or

e. danger to the environment; or

f. deliberate concealment of any of the above.

3. The Trust is committed to investigating disclosures fully, fairly, quickly and confidentially where circumstances permit.

4. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any workplace wrongdoing. It is hoped that it will not be necessary for staff to alert external organisations. Therefore, save in exceptional circumstances, staff should not

disclose their concerns outside the charity unless they have first provided the charity with the opportunity to address the problem.

5. Every effort will be made to keep the identity of an individual who makes a disclosure under this policy confidential, at least until any formal investigation is under way. In order not to jeopardise the investigation into the alleged malpractice, the complainant will also be expected to keep the fact that they have raised a concern, the nature of the concern and the

identity of those involved confidential. There may, however, be circumstances in which, because of the nature of the investigation or disclosure, it will be necessary to disclose the identity of the complainant.

6. If an employee makes a disclosure in accordance with this policy, in the public interest and with a genuine belief that any of the above has happened, is happening or is likely to happen in the near future, the Trust will ensure that they do not suffer victimisation or any detriment as a result. If an employee believes that they are being subjected to a detriment within the workplace as a result of raising concerns under this procedure, they should inform their line manager or an alternative senior manager immediately. Employees who victimise or retaliate against those who have raised concerns under this policy may be subject to disciplinary action.

7. If an investigation under this procedure concludes that a disclosure has been made maliciously, vexatiously, in bad faith or with a view to personal gain, the staff member who made the complaint will not be protected and may be subject to disciplinary action under the Foundation's disciplinary procedure up to and including summary dismissal. Those choosing to make disclosures without following this procedure or anonymously will not receive the protection of this policy.

8. The Trust will always endeavour to handle investigations promptly and fairly, but if a member of staff has made a disclosure under the procedure described in this section and is not satisfied with the investigation or its conclusion, they should write directly to the Chair of the Board detailing their concerns.

SUBHEADINGS IN THIS SECTION:

Whistle-blowing – Procedure for managing whistle-blowing.

LINKS

Acas http://www.acas.org.uk/index.aspx?articleid=1461

Empathy (co-health) http://www.co-health.co.uk/

Health & Safety Executive http://www.hse.gov.uk/

Public Concern at Work http://www.pcaw.co.uk/